

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8560 of 2016

1. Vijay Kumar Satpati, S/o. Chakradhar Satpati, aged about 36 years, Village-Porth, Thana – Sariya, District – Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station House Officer, Dabhra, District – Janjgir-Champa (C.G.)

---- Respondent

For Applicant	:	Mr. Kamal Kishore Patel, Advocate
For Respondent/State	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.365/2014, registered at Police Station – Dabhra, District – Janjgir-Champa (C.G.) for the offence punishable under Section 409, 420, 467, 468, 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 02.11.2014 a report was made by Gram Panchayat, Malkharoda that the present applicant, who was Technical Assistant of Gram Panchayat Jharra on the basis of forged muster roll and wage slips had shown different development works and withdrew the amount along with other co-accused persons and it caused loss of Rs.21,98,000/- and thereby the aforesaid offence was committed.
3. Learned counsel for the applicant would submit that the applicant was the Technical Assistant of Gram Panchayat Jharra and muster rolls are

being prepared by Rojgar Sahayak and the amount is directly transferred to the bank account of different labourers and the applicant is not the beneficiary. It is submitted that charge-sheet has been filed and the applicant is in jail since 10.09.2016. It is further submitted that similarly placed co-accused has been enlarged on bail by this Court in M.Cr.C. No.215/2017 vide order dated 25.01.2017, therefore, the applicant may also be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to dispute the fact that similarly placed co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties.
6. Taking into consideration the facts and circumstances of the case, the evidence collected by the prosecution, which appears to be documentary in nature and further considering the fact that similarly placed co-accused has been enlarged on bail by this Court in M.Cr.C. No.215/2017 vide order dated 25.01.2017, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge